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E.O. 12958: N/A
TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [MO](#)
SUBJECT: MOROCCO -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. STATE 59732
[1](#)B. STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Morocco of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Morocco and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Morocco of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

17. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

18. Begin Final Text of Morocco,s country narrative in the 2009 TIP Report:

MOROCCO (Tier 2)

Morocco is a source, destination, and transit country for men, women, and children trafficked for the purpose of forced labor and commercial sexual exploitation. Children are trafficked within the country from rural areas to urban centers to work as maids or laborers, or for exploitation in the sex trade. Men, women, and children are trafficked to European and Middle Eastern countries as illegal migrants who become exploited for forced labor and prostitution. Young Moroccan girls from rural areas are recruited to work as child maids in cities, but often face restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Moroccan boys experience involuntary servitude as apprentices in the artisan and construction industries and in mechanic shops. Transnational human trafficking in Morocco is associated with people smuggling and drug trafficking. Some Moroccan women are trafficked to Gulf States, Jordan, Libya, Syria, Cyprus, and European countries for commercial sexual exploitation. There were reports of Moroccan men who were promised jobs in the Gulf; upon arrival their passports were confiscated and they were forced into debt bondage. Men lured to Italy with job offers were forced to sell drugs. In addition, men and women from sub-Saharan Africa, South Asia, and the Philippines enter Morocco voluntarily, but illegally, with the assistance of smugglers; once in Morocco, some of the women are coerced into commercial sexual exploitation.

The Government of Morocco does not comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government did not take adequate steps to collect data on trafficking, identify victims, increase overall law enforcement efforts to investigate, convict, or punish traffickers, or provide adequate protection for victims of trafficking, who were often detained and subject to deportation. Moroccan authorities, however, moved to engage international organizations to conduct a first baseline assessment of human trafficking in the country, which is expected to be completed in 2009.

Recommendations for Morocco: Enact comprehensive anti-trafficking legislation that increases prescribed penalties for forced labor; significantly increase prosecutions of trafficking offenders; collect data on incidence of trafficking (as distinct from smuggling); institute a victim identification mechanism; ensure that victims are not punished for acts committed as a direct result of being trafficked; and conduct public awareness campaigns, encompassing child sex tourism.

Prosecution

The Government of Morocco made inadequate efforts to investigate trafficking offenses and punish trafficking offenders during the reporting period. Morocco appears to prohibit all forms of trafficking. Its Penal Code prohibits forced child labor through Article 467, forced labor through Article 10, and forced prostitution and prostitution of a minor through Articles 497-499. The Government of Morocco

reports that it also employs the Immigration Law of 2003 and other statutes, such as those prohibiting kidnapping, fraud, and coercion, to prosecute trafficking offenses. Penalties prescribed by these various statutes for sex trafficking offenses are sufficiently stringent, and commensurate with those prescribed for other grave crimes, such as rape. In contrast, prescribed penalties for labor trafficking appear not to be sufficiently stringent; penalties for child labor under Article 467 range from one to three years, imprisonment, while general penalties for forced labor under Article 10 are limited to fines for first-time offenders or six days, to three months, imprisonment for repeat offenders. Authorities claim they dismantled 220 trafficking or smuggling rings in 2008; however, the government made no distinction between migrant smuggling and trafficking, so it was unclear how many were truly human trafficking rings. Authorities reported prosecuting 42 individuals for exploiting children trafficked for the purpose of domestic servitude under trafficking-related statutes during the reporting period. In 2008, the government also prosecuted 200 individuals for inciting children into prostitution or sexually abusing children; some of these prosecutions likely involve trafficking offenses. The government did not report the number of individuals convicted or punished for trafficking offenses in 2008. The government offered anti-trafficking training to judges, prosecutors, the territorial police, and border security officials.

Protection

Morocco made insufficient progress in protecting victims of trafficking over the last year. Foreign trafficking victims are often treated as illegal migrants, subject to arrest and deportation. Government officials continued to round up illegal sub-Saharan migrants -- failing to make efforts to identify trafficking victims among them -- and left them at the Algerian border, often without food or water; there were reports that some were robbed, assaulted, and sexually abused by criminal gangs that operate in the area. The government did not offer legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution. Morocco does not encourage victims to participate in investigations against their traffickers, although some victims reportedly testify during prosecutions. Reports from NGOs indicate that some potential trafficking victims suffered physical abuse at the hands of Moroccan police. NGOs provided most services to domestic victims of trafficking. Government-operated centers in Casablanca and Marrakech offered assistance to street children and other victims of violence, abuse, and sexual exploitation, including victims of trafficking. Also, during the reporting period, Moroccan diplomatic missions provided assistance with passports and transportation home to Moroccan women trafficked to Middle Eastern countries for commercial sexual exploitation.

Prevention

The government periodically undertook awareness-raising campaigns related to the abuse of children, child labor, and sexual exploitation during the year. The 2006-2015 National Plan for Action for Children includes the goal of protecting children from abuse, violence, and exploitation; in part by reducing the incidence of child labor. Authorities did not make significant efforts to raise public awareness of the commercial sexual exploitation of children and women, especially in tourist areas, and did not take any reported measures to reduce the demand for commercial sex acts.

The government fully supported UN efforts to investigate accusations that Moroccan peacekeepers in Cote d'Ivoire sexually abused underage girls. An inquiry team consisting of UN investigators and Moroccan army officers was unable to find any conclusive evidence of abuse. An investigation by the UN Office of Internal Oversight was ongoing at the end of the reporting period. The government provided Moroccan soldiers participating in UN peacekeeping missions with training on the issue of sexual exploitation and abuse.

Morocco has not ratified the UN TIP Protocol.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the

minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion. "

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why was Morocco given a Tier 2 ranking?

A: Morocco was placed on Tier 2 because the government did not take adequate steps to collect data on trafficking, identify victims, increase overall law enforcement efforts to investigate, convict, or punish traffickers, or provide adequate protection for victims of trafficking, who were often detained and subject to deportation.

Q2: What progress did Morocco make in combating trafficking?

A: Moroccan authorities moved to engage international organizations to conduct a first baseline assessment of human trafficking in the country, which is expected to be completed

in 2009. The government offered anti-trafficking training to judges, prosecutors, the territorial police, and border security officials. Authorities reported prosecuting 42 individuals for exploiting children trafficked for the purpose of domestic servitude under trafficking-related statutes during the reporting period. In 2008, the government also prosecuted 200 individuals for &inciting8 children into prostitution or sexually abusing children; some of these prosecutions likely involve trafficking offenses.

Q3: What can Morocco do to further the fight against trafficking in persons?

A: The Moroccan government could: Enact comprehensive anti-trafficking legislation that increases prescribed penalties for forced labor; significantly increase prosecutions of trafficking offenders; collect data on incidence of trafficking (as distinct from smuggling); institute a victim identification mechanism; ensure that victims are not punished for acts committed as a direct result of being trafficked; and conduct public awareness campaigns, encompassing child sex tourism.

12. The Department appreciates posts, assistance with the preceding action requests.
CLINTON